



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

SNELL & WILMER  
ONE ARIZONA CENTER  
400 EAST VAN BUREN  
PHOENIX AZ 85004-0001

**COPY MAILED**

FEB 23 2005

In re Application of  
Cheng-Chieh Chuang  
Application No. 10/603,901  
Filed: June 25, 2003  
Attorney Docket Number: 39524.6900

OFFICE OF PETITIONS  
ON PETITION

This is a decision on the second request for reconsideration filed February 11, 2005, under 37 CFR 1.182, in response to the second decision dismissing the petition mailed December 17, 2004.

The request for reconsideration is **GRANTED**.

The application was deposited June 25, 2003. However, on September 11, 2003, the Office mailed a "Notice of Omitted Item(s) in a Nonprovisional Application" stating that the application had been accorded a filing date of June 25, 2003 but advised that Figure 4b described in the specification appeared to have been omitted. A petition asserting that Figure 4b was in fact filed with the application papers on June 25, 2003, was filed September 27, 2004 and dismissed in a decision mailed October 19, 2004, as well as a request for reconsideration filed November 26, 2004 and dismissed December 17, 2004 because petitioners failed to submit evidence that Figure 4b was in fact included with the application upon filing. As a result, October 16, 2003 became the filing date, the date Figure 4b was supplied.

Comes now petitioner with yet another request for reconsideration. In furtherance of their claim that a complete application was filed on June 25, 2003, petitioner proffers a copy of a post card with a USPTO date stamp of June 25, 2003 to corroborate the assertion that the application had been filed with Figure 4b. Additionally, the postcard receipt lacks any notation of non-receipt of any item listed. In view thereof, the petition is **GRANTED**.

Given the basis for granting the petition the petition fee in the amount of \$130.00, paid December 23, 2003, and the petition fee in the amount of \$130.00, paid February 11, 2005, will be credited to deposit account 19-2814.

This application is being forwarded to the Office of Initial Patent Examination (OIPE) for a correction of the filing date to June 25, 2003 using the application papers received in the Office on June 25, 2003 and Figure 4b submitted on petition February 11, 2005.

Telephone inquiries related to this matter should be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions